

Disabled Children Program Eligibility Information

Program Description

The Disabled Children Program is an optional Medicaid program for certain disabled children. The program is intended for children with disabilities who have medically fragile conditions that would require skilled nursing care in a medical facility if they were not being cared for at home.

Eligibility Requirements

Not all children with disabilities will be eligible for the Disabled Children Program. In order for a child to be found eligible, the following eligibility requirements must be met:

- Ø Under age 19.
- Ø Found disabled by the Social Security Administration or the Department of Social Services using disability standards from the Social Security Act. Children under age 18 are considered disabled if there is a medical impairment that results in marked and severe functional limitations that have lasted or can be expected to last for a continuous period of more than 12 months. Children over age 18 will be found to be disabled if they are unable to work due to a medical impairment which can be expected to last for a continuous period of more than 12 months.
- Ø Requires medical care in the home that is comparable to a level of care needed in a hospital, nursing facility or intermediate care facility for the mentally retarded.

A child who is medically stable, even though disabled, is not considered in need of a level of care. A child is medically stable if his/her health care and medical needs are such that he/she would not require care in a medical institution.

Daily medical care at home must be the same as one of the following care levels. All care requirements within the level of care must be present to meet this medical eligibility requirement.

Hospital Level of Care

1. Skilled nursing care 24 hours per day or the use of sophisticated equipment that alerts caregivers to potential problems;
2. At risk of rapid deterioration in health status;
3. Continued use of medical technology, complex medical equipment or invasive techniques to sustain life; and
4. Without the support of skilled nursing services, hospitalization would be required for an indefinite period of time due to the complexity or intensity of long-term medical needs.

Specialized Hospital Level of Care

Skilled nursing care seven days a week and one of the following conditions exist:

1. Continuous use of medical technology or invasive techniques to sustain life; or
2. Requires the assistance and presence of another person for performance of at least three of the five activities of daily living including eating, bathing, dressing, toileting and mobility that are not appropriate for the child's age; and be regularly scheduled for skilled therapeutic services, including physical therapy, occupational therapy, or speech/language therapy in any combination, but not less than once a week.

Nursing Facility Level of Care

1. Daily skilled nursing services including management, direct observation, frequent monitoring and documentation of condition, or performance of complex nursing procedures;
2. Requires the assistance and presence of another person for performance of at least three of the five activities of daily living including eating, bathing, dressing, toileting and mobility that are not appropriate for the child's age; and
3. Regularly scheduled skilled therapeutic services, including physical therapy, occupational therapy and speech/language therapy in any combination, but not less than once a week.

Intermediate Care Facility for the Mentally Retarded

1. Continuous active treatment program;
 2. Requires direct assistance from professionals for special rehabilitative or developmental intervention for conditions that significantly interfere with mental age appropriate activities;
 3. Requires the assistance and presence of another person for performance of at least three of the five activities of daily living including eating, bathing, dressing, toileting and mobility that are not appropriate for the child's age;
 4. Daily skilled nursing services including management, direct observation, frequent monitoring and documentation of condition, or performance of complex nursing procedures; and
 5. A clinical psychologist has determined that the child is mentally retarded or a physician or a psychologist has determined that the child is developmentally disabled as defined in regulations.
- θ Health care services received in the home must have been ordered by a physician and could only be performed by a physician or nurse if the child were in a medical facility. The physician must also determine if performance of skilled nursing services are appropriate in the child's home.
- θ Cost of the child's monthly health care services at home must be the same or less than the cost of treating the child within a medical facility.
- θ Child's monthly income must be less than 300% of the SSI Federal Benefit Rate (\$1,911 year 2008) and assets must be less than \$2,000 (year 2008) at any time during the month. Income and assets of the parents are not considered to determine eligibility.

Application Process

To request an application for the Disabled Children Program, you may contact:

Deb Wieseler
Division of Economic Assistance
Department of Social Services
700 Governors Drive
Pierre, SD 57501-2291
Phone Number 605-773-4678
FAX Number 605-773-7183

After the application is returned, the caseworker will obtain medical documentation about your child's health care services provided in the home. This information will be used to determine if your child meets the medical and disability requirements. The caseworker will also determine if other non-medical eligibility criteria are met such as income and asset limits. A decision about eligibility for the Disabled Children Program will be made within 90 days of the day your child's application is received.

Eligible children may also qualify for retroactive medical coverage three months prior to the month of the application if the child would have been eligible for Medicaid during the retroactive time period.